

REMARKS

In the Official Action of June 6, 2003, the Examiner maintained the rejection of claims 37-62 under 35 U.S.C. 103(a) as being unpatentable over one of Shah et al, Hogan, et al or Britschgi et al in view of Hyldig-Nielsen et al. Applicants disagree and respectfully traverse.

The Examiner did, however, indicate that claims drawn to PNAs comprising SEQ ID Nos. 40, 44, 76, 89 and 90 were allowable. Therefore, in an effort to expedite prosecution, Applicants have canceled claims 37-62 without prejudice, and added new claims 63 - 71 directed to PNAs comprising SEQ ID Nos. 40, 44, 76, 89 and 90.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 63-71 in condition for allowance. Applicants submit that the proposed amendments of claims 63-71 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. In fact, Applicants are merely presenting claims directed to the subject matter that the Examiner indicated was allowable. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

Sequence Rules

The Examiner also indicated that the application fails to comply with the requirements of 37 CFR 1.821 through 1.825. Applicants submit herewith a corrected sequence listing. Applicants respectfully request that this objection be withdrawn.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.


Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By:


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